

Aug 15, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MICHAEL DERRELL MILAM,  
Plaintiff,

v.

DISCIPLINARY HEARING OFFICER  
PIERCE, C/O POTTS C/O JAMES  
NORED, C/O MATTHEW KOURI, RN  
SHAWN GANNON, C/O ROBERT  
SLACK and C/O SHARI HARMON,  
Defendants.

4:19-cv-05013-SAB

**ORDER DISMISSING ACTION  
FOR FAILURE TO COMPLY  
WITH FILING FEE  
REQUIREMENTS**

By Order filed May 17, 2019, the Court directed Mr. Milam to provide a new application to proceed *in forma pauperis* upon his notification that he was released from incarceration at the Washington State Penitentiary to a residential address in Kent, Washington. ECF No. 12. Plaintiff had presented a *pro se* civil rights complaint and Defendants were not served. In the alternative, the Court instructed Plaintiff to pay the \$400.00 fee (\$350.00 filing fee, plus \$50.00 administrative fee) to commence this action under 28 U.S.C. § 1914.

Plaintiff did not comply with the Court's directive and has filed nothing further in this action. The Court assumes that Plaintiff has chosen to abandon this litigation.

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ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING  
FEE REQUIREMENTS -- 1

1 Therefore, for the reasons set forth above and in the Court's prior Order, **IT**  
2 **IS ORDERED** that this action is **DISMISSED** for failure to comply with the  
3 filing fee requirements of 28 U.S.C. §§ 1914 and 1915. **IT IS FURTHER**  
4 **ORDERED** that all pending Motions are **DENIED as moot**.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,  
6 enter judgment, provide copies to Plaintiff at his last known address and **CLOSE**  
7 the file. The Court certifies any appeal of this dismissal would not be taken in good  
8 faith.

9 **DATED** this 15<sup>th</sup> day of August 2019.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

Stanley A. Bastian  
United States District Judge